

of the State of Washington

DIGEST SUPPLEMENT

To Legislative Digest and History of Bills **Supplement No. 17***

FIFTY-NINTH LEGISLATURE

Wednesday, February 2, 2005

24th Day - 2005 Regular

	SENA	TE		HOUSE	
SB 5097-S SB 5639 SB 5640 SB 5641 SB 5642 SB 5643 SB 5644 SB 5645 SB 5646 SB 5647 SB 5648 SB 5649 SB 5650 SB 5651 SB 5652 SB 5653 SB 5653	SB 5655 SB 5656 SB 5657 SB 5658 SB 5659 SB 5660 SB 5661 SB 5662 SB 5663 SB 5664 SB 5665 SB 5666 SB 5666 SB 5667 SB 5668 SB 5669 SB 5670 SB 5671	SJM 8012 SCR 8406	HB 1000-S HB 1035-S HB 1310-S HB 1642 HB 1643 HB 1644 HB 1645 HB 1646 HB 1647 HB 1648 HB 1650 HB 1651 HB 1652 HB 1653 HB 1653 HB 1654 HB 1655	HB 1656 HB 1657 HB 1658 HB 1659 HB 1660 HB 1661 HB 1662 HB 1663 HB 1664 HB 1665 HB 1666 HB 1666 HB 1667 HB 1668 HB 1669 HB 1670 HB 1670 HB 1671	HB 1673 HB 1674 HB 1675 HB 1676 HB 1677 HB 1678 HB 1679 HB 1680 HB 1681 HB 1682 HB 1683 HB 1683 HB 1684 HB 1685 HCR 4404

House Bills

by House Committee on State Government Operations & Accountability (originally sponsored by Representatives Clibborn, Pettigrew, Shabro, Nixon, B. Sullivan, Moeller, Jarrett, Hunter, Hudgins, Upthegrove, Tom, Morrell, P. Sullivan, Wallace and Kilmer)

Allowing fax and electronic mail notice of special meetings.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Amends RCW 42.30.080 to authorize fax and electronic mail notice of special meetings.

Provides that a subscriber to such notifications must be allowed by the sender to specify which approved method or methods of communication he or she prefers for the receipt of notices of a special meeting. The sender is required to use the subscriber's preferred method of communication. If electronic mail is used, a return receipt must be requested. If a fax is used, a reply fax must be requested. If the electronic mail return receipt or reply fax is not received in a timely manner, the sender shall verify receipt by telephone.

-- 2005 REGULAR SESSION --

Jan 28 SGOA - Majority; 1st substitute bill be substituted, do pass.

Feb 1 Passed to Rules Committee for second reading.

https://docs.com/https:

Providing confidentiality to certain insurance commissioner examinations.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides confidentiality to certain insurance commissioner examinations.

-- 2005 REGULAR SESSION --

Jan 28 SGOA - Majority; 1st substitute bill be substituted, do pass.

Minority; without recommendation.

Feb 1 Referred to Financial Institutions & Insurance.

HB 1310-S by House Committee on (originally sponsored by Representatives Hudgins, Conway, McCoy, Condotta, Wood and Chase; by request of Department of Labor & Industries)

Requiring mandatory electronic data reporting under Title 51 RCW for workers' compensation self-insurers.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires the department to establish an electronic reporting system for the submission of specified self-insurance claim data to more effectively monitor the

performance of self-insurers and to obtain claims information in an efficient manner.

Provides that claim data reported electronically by individual self-insurers is confidential in accordance with RCW 51.16.070 and 51.28.070. The department may publish, for statistical purposes, aggregated claims data that contain no personal identifiers.

-- 2005 REGULAR SESSION --

Jan 27 CL - Majority; 1st substitute bill be substituted, do pass.

Jan 31 Passed to Rules Committee for second reading.

HB 1642 by Representatives Murray, Woods, Campbell and Simpson

Restructuring certain transportation agencies.

Finds that it is in the interest of the state to restructure the roles and responsibilities of the state's transportation agencies in order to improve efficiency and accountability.

Finds that continued citizen oversight of the state's transportation system remains an important priority. To achieve these purposes, the legislature intends to provide direct accountability of the department of transportation to the governor, in his or her role as chief executive officer of state government, by making the secretary of transportation a cabinet-level official.

Declares that it is essential to clearly delineate between the separate and distinct roles and responsibilities of the transportation commission and the department of transportation. Finally, consolidating the research and audit functions of the state's transportation agencies under a single citizen-governed entity, the transportation commission, will better serve the state.

Repeals RCW 44.28.161, 44.40.010, 44.40.013, 44.40.015, 44.40.030, 44.40.040, 44.40.090, 44.40.140, 44.40.150, 44.40.161, and 53.08.350.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Transportation.

HB 1643 by Representative B. Sullivan

Extending liability immunity to certain skate parks that charge a nominal fee.

Provides that a public or private nonprofit owner or operator of a skate park may charge a nominal fee for the use of a skate park where the fees are devoted solely to providing supervision of the use and maintenance of the skate park facility. For purposes of this act, "skate park" means an indoor or outdoor ramp, course, or area specifically designated for the exclusive recreational or sporting use of skateboards, bicycles, scooters, or roller skates.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Judiciary.

HB 1644 by Representatives B. Sullivan and Lovick

Changing the law pertaining to waiver of rights by a juvenile.

Revises the law pertaining to waiver of rights by a juvenile.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Juvenile Justice & Family Law.

HB 1645 by Representatives B. Sullivan, Holmquist, Upthegrove, Dickerson, Blake, Kristiansen, Linville, Lantz, Morris, Orcutt, Lovick, Campbell, Chase, Nixon, Williams, Wood, Schual-Berke, Ormsby, Rodne, Sells, Hinkle and Simpson

Providing incentives for the use of clean-burning alternative fuels and equipment used in student transportation programs.

Provides incentives for the use of clean-burning alternative fuels and equipment used in student transportation programs.

-- 2005 REGULAR SESSION --

Feb 1 Held on first reading.

HB 1646 by Representatives B. Sullivan, Holmquist, Upthegrove, Linville, Blake, Morris, Orcutt, Lovick, Campbell, Chase, Williams, Schindler, Wood, Rodne, Sells, Hinkle and Simpson

Providing tax incentives for alternative fuel.

Provides tax incentives for alternative fuel.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Technology, Energy & Communications.

HB 1647 by Representatives B. Sullivan, Morris, Chase, Williams, Sells, Linville and Simpson

Providing incentives for hydrogen and the alternative fuels marketplace.

Provides incentives for hydrogen and the alternative fuels marketplace.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Technology, Energy & Communications.

HB 1648 by Representatives B. Sullivan, Appleton, Orcutt, Lovick, Campbell, Strow and Hinkle

Increasing the penalty for intercepting, recording, or divulging private communications in executive sessions.

Provides that any person who violates RCW 9.73.030 by intercepting or recording communications or conversations in an executive session held pursuant to chapter 42.30 RCW is guilty of a class C felony.

Provides that any person who violates RCW 9.73.030 in a manner other than intercepting or recording communications or conversations in an executive session held pursuant to chapter 42.30 RCW is guilty of a gross misdemeanor.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Criminal Justice & Corrections.

HB 1649 by Representatives B. Sullivan, Santos, Nixon and Schindler

Limiting the authority to condemn property outside the boundaries of the condemning entity.

Finds that condemnation of property for essential public facilities concerns the public health, safety, and welfare in the jurisdiction in which the proposed facility is to be located.

Provides that, when the state grants local governments and special districts the power of eminent domain outside their jurisdictional boundaries, therefore, the state must also assure that exercise of this power includes meaningful measures to consider and protect the public health, safety, and welfare in the jurisdiction in which the property that is proposed to be condemned for an essential public facility is located.

Provides that a metropolitan municipal corporation shall not condemn lands for an essential public facility, provided for in RCW 36.70A.200, at a location outside its component county boundaries without first completing the city or county siting process for an essential public facility where the proposed facility is to be located, consistent with RCW 36.70A.200.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Local Government.

HB 1650 by Representatives O'Brien, Newhouse, Lovick and Rodne

Addressing the failure to respond to citations and notices of infractions.

Revises provisions relating to the failure to respond to citations and notices of infractions.

Repeals RCW 18.27.280.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Criminal Justice & Corrections.

HB 1651 by Representatives O'Brien, Darneille and Lovick

Exempting community notification and release of sex offender information from public disclosure.

Declares that it is and has been the intent of the legislature that information regarding sex offenders be shared between state agencies and with local law enforcement, and that public disclosure of sex offender information that is accurate, relevant, and necessary to protect the public be managed by and controlled through the community notification statute, RCW 4.24.550.

Finds that law enforcement has been, and continues to be, the most reliable means of ensuring that the information released protects the public, protects the confidentiality of victims, protects ongoing criminal investigations, and complies with the confidentiality provisions of other federal and state laws.

Finds that to accomplish its penological duties, the department of corrections must receive and use protected information to appropriately confine, supervise, treat, and assess the risk of offenders. To further this intent, the legislature has authorized the end of sentence review committee to access and consider information that otherwise may be confidential for the specific reason of determining if

the offender should be referred for civil commitment as a sexually violent predator under chapter 71.09 RCW.

Finds that it is appropriate for the department to share information, beyond what is publicly disclosable, with law enforcement agencies for the appropriate supervision of offenders in the community or for the investigation of criminal acts.

Does not intend that law enforcement bulletins or notes, comments, and assessments of the end of sentence review committee to assess the risk, or plan the transition of sex offenders to the community, be available for public inspection through public disclosure due to the risk that providing the information in such a manner would pose to the state's community notification program and the risk that the information would unnecessarily traumatize the victims of the offenders' previous offenses.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to State Government Operations & Accountability.

HB 1652 by Representatives Ericks, Appleton, Simpson, Kilmer, Eickmeyer, Woods, Lovick, Santos and Linville

Authorizing fire protection districts to establish or participate in health clinic services.

Amends RCW 52.02.020 to authorize fire protection districts to establish or participate in health clinic services.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Health Care.

HB 1653 by Representatives O'Brien, Moeller, Lovick, Clibborn, Roberts, B. Sullivan, Murray, Morrell, Ericks, Campbell, Chase and Santos

Assessing environmental lead paint hazards.

Finds that it is in the public interest to assess the risks to children's health caused by exposure to lead in paint and educate property owners about the potential dangers to children from exposure to lead in paint.

Directs the department and the department of health to jointly assess housing stock in Washington state to identify areas of potentially high risk for child lead exposure. In assessing the housing stock, the department and the department of health may use existing data and targeted testing for child lead exposure. The department and the department of health shall report their findings to the appropriate committees of the legislature by December 31, 2005.

Requires the department, in conjunction with the department of health and the department of ecology, to establish a lead paint hazard education and awareness strategy to notify owners of affected property and tenants about the risks of exposure from lead paint.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Housing.

HB 1654 by Representatives Ahern, O'Brien, Miloscia, Holmquist, Crouse, Curtis, Dunn, Nixon, Haler, McCune, Kretz, Schindler, Serben, McDonald, Roach, Shabro, Buri and Campbell

Regarding health care provider right of conscience.

Declares that no physician or health care personnel shall be civilly or criminally liable to any person, estate, public or private entity, or public official by reason of his or her refusal to perform, assist, counsel, suggest, recommend, refer, or participate in any way in any particular form of health care service that is contrary to the conscience of such physician or health care personnel.

Provides that it is unlawful for any person, public or private institution, or public official to discriminate against any person in any manner, including but not limited to, licensing, hiring, promotion, transfer, staff appointment, hospital, managed care entity, or any other privileges, because of such person's conscientious refusal to receive, obtain, accept, perform, assist, counsel, suggest, recommend, refer, or participate in any way in any particular form of health care services contrary to his or her conscience.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Health Care.

htb 1655 by Representatives Ahern, Dunn, Schindler, Crouse, Haler, Kretz, Serben, McDonald, McCune, Roach, Shabro, Buri, Condotta and Kristiansen

Protecting children from material that is harmful to minors.

Declares an intent to promote the safety and well-being of children by limiting the ability of children to access sexually explicit materials and to ensure the law reinforces and supports the wishes of parents regarding their children's access to such graphic materials.

Provides that a person who is convicted of violating this act is guilty of a gross misdemeanor.

Declares that the state of Washington fully occupies and preempts within the boundaries of the state the entire field of regulation and sanctions for displaying, selling, furnishing, presenting, or otherwise distributing matter or performances that are harmful to minors.

Provides that counties, cities, towns, or other municipalities may enact only those laws and ordinances relating to matter and performances harmful to minors that are consistent with this act.

Provides that local laws and ordinances that are inconsistent with, more restrictive than, or exceed the requirements of this act may not be enacted and are preempted and repealed, regardless of the nature of the code, charter, or home rule status of such county, city, town, or municipality.

Repeals provisions of chapter 9.68 RCW.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Judiciary.

HB 1656 by Representatives Ahern, Miloscia, Schindler, Dunn, Haler, Holmquist, Kretz, Crouse, Serben, McCune, Roach, Shabro, Kristiansen, Campbell and Nixon

Defining abstinence education and comprehensive sex education for K-12 students.

Finds that section 912 of the welfare reform act of 1996 amends Title V of the social security act, that Washington state receives funding from Title V welfare, that section 510 defines abstinence education, and that entities promoting or teaching abstinence education must verify compliance as required by federal law.

Finds that school districts and their community committee members are free to determine the type and content of sex education programs used in their district.

Declares an intent by this act to help parents clearly identify the type of education being taught, assist community committee members in selecting the best materials to comply with school district policy, and support teachers in complying with their school district policy.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Health Care.

HB 1657 by Representatives Takko, Buck, B. Sullivan, Orcutt, Blake, Wallace, Sells and Chase

Concerning the construction of bridges and trestles over tidelands, shorelands, and harbor areas of the state.

Provides that counties, cities, towns, and other municipalities shall have the right to construct bridges and trestles across waterways heretofore or hereafter laid out under the authority of the state of Washington, and over and across any tide or shore lands and harbor areas of the state adjacent thereto over which the projected line or lines of highway will run, if such bridges or trestles are constructed in good faith for the purpose of being made a part of the constructed line of such a highway, without payment for any such right of way and without payment for any damages to those aquatic lands affected.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Natural Resources, Ecology & Parks.

HB 1658 by Representatives Haigh, Pettigrew, Buri, Fromhold and Wood

Establishing the short line rail revitalization program.

Declares an intent to establish a short line rail revitalization program within the community economic revitalization board within the department of community, trade, and economic development to allow political subdivisions to be approved for a sales and use tax credit for short line rail projects that are reasonably expected to provide a direct economic benefit in this state.

Provides that, in consultation with the Washington state department of transportation freight rail program, the board shall report to the legislature on a biennial basis on the short line rail revitalization program. The report must give a detailed account of approved and rejected projects under the program, their cumulative impact on the state's general fund, a cost-benefit analysis of projects to the state including highway maintenance and improvement savings, and a summary of the economic benefits realized through the program.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Transportation.

HB 1659 by Representatives Santos, McCoy, Pettigrew, Kenney, Hunter, Chase, Dickerson, Simpson and Upthegrove

Creating the joint select committee on equitable opportunity for all.

Recognizes that research from the office of the superintendent of public instruction concludes that low-

income and minority students encounter fewer opportunities to learn, inadequate instruction and support, and lower expectations from their schools and teachers, and that schools are not sufficiently inclusive of all cultures represented in the state's public schools.

Finds that the academic achievement gap is the result of many factors, including poverty, educational opportunity of parents, recent immigration, family mobility, societal and institutional bias, and the fact that English is not the primary language in many homes.

Finds that in order to close the achievement gap, the educational system will need to change how it approaches learning and teaching through a greater understanding of the impact of language, culture, race, and poverty on student achievement.

Declares that closing the achievement gap will require a comprehensive and coordinated approach designed to: (1) Create more learning environments that are intolerant of racism and exclusion and in which high expectations are held for all students;

- (2) Develop curricula and teaching practices that recognize the differences in ethnicity, language, and culture; and
- (3) Require that teacher training and professional development programs include opportunities to learn cultural responsiveness skills and effective instructional strategies that are successful in raising the academic achievement of traditionally underachieving students.

Creates the joint select committee on equitable opportunity for all.

Requires the joint select committee to report its findings and recommendations, including a reasonable timeline for implementation that is prioritized based on existing efforts already under way and the resources necessary to fully implement the action item, by September 1, 2006, to the senate committee on early learning, K-12 and higher education and the house of representatives committee on education. The report shall include a determination of the actions and resources necessary to complete the action steps in this act, including whether existing basic education moneys can be used and the amount of additional funding needed.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Education.

HB 1660 by Representatives Moeller, Tom, Hasegawa, Ericks, Lantz, Flannigan, Appleton, Roberts, Curtis, Hunt, Green, Chase, Lovick, Orcutt, Morrell, Cody, McCune, Williams, Schual-Berke, Dickerson and Simpson

Expanding the definition of "at-risk youth."

Amends RCW 13.32A.030 relating to the definition of "at-risk youth."

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Juvenile Justice & Family Law.

HB 1661 by Representatives Moeller, Hasegawa, Appleton, Hunt, Ericks, Chase, Curtis, Lovick, McCune and Cody

Specifying procedures for transfer of juvenile proceedings.

Provides that, if the court orders a transfer of venue, the case and copies of all legal and social documents pertaining thereto shall be transferred to the county in which

the juvenile resides, without regard to whether or not his or her custodial parent resides there, for supervision and enforcement of the disposition order.

Provides that, if any restitution is yet to be determined, the originating court shall transfer the case to the new county with the exception of the restitution. Venue over restitution shall be retained by the originating court for purposes of establishing a restitution order. Once restitution is determined, the originating county shall then transfer venue over modification and enforcement of the restitution to the new county.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Juvenile Justice & Family Law.

HB 1662 by Representatives Kenney, Cox, Sells, Chase and Linville; by request of Governor

Gregoire

Authorizing an independent, nonprofit Washington academy of sciences.

Declares that it is the purpose of this act to authorize the creation of the Washington academy of sciences as a nonprofit entity independent of government, whose principal mission will be the provision of scientific analysis and recommendations on questions referred to the academy by the governor or the governor's designee.

Requires the organizational committee to recommend procedures and funding requirements for receiving and disbursing funding in support of the academy's programs and services in a report to the governor and the appropriate committees of the senate and house of representatives no later than April 30, 2007.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Higher Education.

HB 1663 by Representatives Kagi, Dickerson, Darneille, Walsh, Roberts, McDonald, Pettigrew, McIntire, Tom, Hunter, Nixon, Clibborn, Santos, Rodne, Kenney and Simpson

Creating the prevention and intervention investment council.

Creates the prevention and intervention investment council to direct and support the following: (1) The investment of state resources in evidence-based prevention and intervention programs in the state; and

(2) Ongoing research and evaluation of sound, theorybased prevention and intervention programs with the goal of expanding the number and type of available evidence-based programs.

Provides that in conducting its work, the council shall consult a broad range of available research, including research conducted by the Washington state institute for public policy on prevention and early intervention programs.

Requires that twenty percent of state spending for alternate response systems, family preservation services, and early intervention public health nurse services shall be spent on evidence-based prevention and intervention programs identified by the prevention and intervention investment council pursuant to this act. This funding shall be limited to spending for services to families involved with the child welfare system.

Provides that existing state entities that support prevention and intervention programs, including but not limited to the Washington council for the prevention of child abuse and neglect, the family policy council, and the governor's juvenile justice advisory committee, shall focus on funding sound, theory-based prevention and intervention programs with the goal of expanding the number and type of available evidence-based programs. These state entities shall coordinate their activities with the activities of the prevention and intervention investment council.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Children & Family Services.

HB 1664 by Representatives Grant, Buri, Linville, Walsh and Schindler

Changing the tax exemptions for machinery and equipment used to reduce agricultural burning.

Repeals and narrows tax incentives for machinery and equipment used to reduce agricultural burning of cereal grains and grass grown for seed for air quality purposes.

Repeals RCW 82.08.840, 82.12.840, 82.04.4459, and 84.36.580.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Economic Development, Agriculture & Trade.

HB 1665 by Representatives Shabro, Ahern, Roach and McCune

Establishing a state veterans' song.

Declares that the song, music, and lyrics, "Thanks to Them," composed by Jerry Hayes, is hereby designated as the official veterans' song of the state of Washington.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to State Government Operations & Accountability.

HB 1666 by Representatives Shabro, Lovick, Roach, Ahern, Chase, McCune and Schindler

Increasing penalties for manufacturing methamphetamine.

Increases penalties for manufacturing methamphetamine.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Criminal Justice & Corrections.

HB 1667 by Representatives Shabro, Darneille, Roach, Chase, McDonald and Simpson

Providing sales tax relief to low-income persons.

Provides sales tax relief to low-income persons.

Declares that, for the purposes of this act, "eligible person" means a resident of this state who has a combined disposable income, as defined in RCW 84.36.383, that is less than one hundred fifty percent of the federal poverty level as adjusted for household size and determined annually by the federal department of health and human services.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Finance.

HB 1668 by Representatives Lantz and Priest; by request of Board for Judicial Administration

Changing provisions relating to the administrative office of the courts.

Revises provisions relating to the administrative office of the courts.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Judiciary.

HB 1669 by Representative Schual-Berke; by request of Insurance Commissioner

Regulating health care grievance and appeal processes.

Establishes provisions for the regulation of health care grievance and appeal processes.

Repeals RCW 48.46.100.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Health Care.

HB 1670 by Representatives Darneille, Shabro, Kirby, Armstrong, Kessler, Hinkle, Grant, Chase, Hunt, Williams and Kenney

Revising regulation of indoor smoking for the purpose of protecting minors and public health.

Provides that, where a designated smoking area, including a lounge or lounge area, is provided for in a place where bingo is conducted for a bona fide charitable or nonprofit organization as authorized under chapter 9.46 RCW, private facility, restaurant, bowling center, or card room or enhanced card room as authorized by this chapter, the area shall be either an enclosed area or the area shall have sufficient negative air pressure between the smoking and nonsmoking areas, which shall be separated by solid walls or windows, exclusive of doors or passageways that extend from the floor to a minimum of five feet in height between the smoking and nonsmoking area, so that environmental tobacco smoke is not permitted to flow into the nonsmoking area from the smoking area at all times.

Requires employers to disclose to a prospective employee that all or a portion of the facility that the prospective employee would work is a designated smoking area.

Provides that employees under the age of eighteen shall not be permitted to enter designated smoking areas at any time.

Declares that the state of Washington fully occupies and preempts the entire field of indoor smoking regulation within the boundaries of the state. Local laws and ordinances that regulate indoor smoking are preempted and repealed.

Provides that, for facilities that possess an occupancy permit from the applicable building official as of June 1, 2005, the requirements of this act apply January 1, 2007. For facilities that do not possess an occupancy permit from the applicable building official as of June 1, 2005, the requirements of this act apply June 1, 2006.

Repeals RCW 70.160.050 and 70.160.080.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Health Care.

HB 1671 by Representatives Kirby, Campbell, Williams and Wood

Allowing attorneys to recover actual costs for service of process.

Amends RCW 4.84.010 to authorize attorneys to recover actual costs for service of process.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Judiciary.

HB 1672 by Representatives Conway, Hudgins, Green, Cody, Appleton, Morrell, Wood, McCoy, Kenney, Moeller and Chase

Requiring hospitals to establish a safe patient handling committee.

Requires each hospital to establish a written patient care activities program that addresses patient handling with input from the safe patient handling committee to prevent musculoskeletal disorders among health care workers and injuries to patients. As part of this program, a hospital must: (1) Implement a no manual lift policy for all shifts and units of the hospital;

(2) Conduct a patient handling hazard assessment. This assessment should consider such variables as patient-handling tasks, types of nursing units, patient populations, and the physical environment of patient care areas;

(3) Develop a process to identify patients that require the appropriate use of the no manual lift policy;

(4) Train staff on policies and equipment and devices before implementation and at least annually or as changes are made to the patient care activities program or type or make of equipment being used; and

(5) Conduct an annual performance evaluation of the program to prevent musculoskeletal disorders to determine the program's effectiveness according to the reduction of musculoskeletal disorder claims and days of lost work for musculoskeletal disorder purposes and make recommendations to increase the program's effectiveness.

Provides that a hospital employee who refuses a patient care activity due to concerns about either employee or patient safety or the lack of trained lift team personnel or equipment may not, based upon the refusal, be the subject of disciplinary action by the hospital or hospital managers or employees.

Takes effect July 1, 2006.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Commerce & Labor.

by Representatives Clements, Armstrong, Dunn, Newhouse, Serben, McDonald, Anderson, Ahern, Condotta, Curtis, McCune, Alexander, Bailey, Cox, Hinkle, Shabro, Rodne, Holmquist, Schindler, Skinner, Buck, Kretz, Priest, Orcutt, Ericksen, Haler, Woods, Kristiansen, Strow, Crouse, Pearson and Talcott

Reducing the regulatory burden for Washington businesses.

Finds that: (1) There is an alarming increase of rules that duplicate or contradict each other, are outdated, or do more harm than good;

- (2) The central function and purpose of government is to protect the basic freedoms of its citizens;
- (3) One of the most pressing public issues is the everexpanding scope and burden of government regulations, and

the implications this trend has for the people's economic liberties; and

(4) The development, proposal, and adoption of rules, as well as the existing rules, in this state are in need of careful examination in order to assure that they faithfully execute the laws of the state without unduly burdening the state's economy and imposing needless costs and requirements on the businesses, local governments, and citizens of this state.

Declares an intent to: (1) Direct agencies to analyze the costs and benefits of their rules and to consider using regulatory approaches designed to avoid undue deleterious or overly burdensome impacts on regulated parties, the economy, and the administration of state and local governmental agencies, to the extent consistent with the objectives of applicable statutes; and

(2) Create a permanent office of regulatory reform within the executive branch to review all state rules and determine which rules duplicate or contradict each other, are no longer needed, or do more harm than good to the public interest.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to State Government Operations & Accountability.

HB 1674 by Representatives Condotta, Armstrong, Holmquist, Schindler, Serben, Kretz, Clements, Shabro, Skinner, McDonald, Haler, McCune, Ericksen, Newhouse, Alexander, Woods, Kristiansen, Dunn, Strow, Crouse, Bailey, Pearson, Rodne, Hinkle and Talcott

Simplifying and adding certainty to the calculation of workers' compensation benefits.

Simplifies and adds certainty to the calculation of workers' compensation benefits.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Commerce & Labor.

HB 1675 by Representatives Orcutt, Armstrong, Clements, Dunn, Newhouse, Serben, Curtis, McDonald, Condotta, Bailey, Ahern, McCune, Hinkle, Alexander, Cox, Shabro, Rodne, Holmquist, Schindler, Skinner, Buck, Kretz, Haler, Ericksen, Woods, Kristiansen, Campbell, Strow, Crouse, Pearson and Talcott

Revising excise tax provisions to encourage small business. Revises excise tax provisions to encourage small business.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Economic Development, Agriculture & Trade.

HB 1676 by Representatives Roach, Buri, Kretz, Walsh, Ahern, Haler, McDonald, Rodne, Hinkle, Armstrong, Bailey, McCune, Alexander, Cox, Shabro, Condotta, Holmquist, Schindler, Serben, Buck, Clements, Skinner, Priest, Orcutt, Ericksen, Newhouse, Woods, Kristiansen, Dunn, Campbell, Strow, Crouse, Pearson, Simpson and Talcott

Providing business and occupation tax exemptions for new small businesses.

Provides business and occupation tax exemptions for new small businesses.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Economic Development, Agriculture & Trade.

HB 1677 by Representatives Kessler, Buck, Hunt, DeBolt, Williams, P. Sullivan, Santos, Quall, Ormsby, Linville and Simpson

Establishing a prescription drug assistance foundation.

Declares that the purpose of this act is to provide assistance in accessing prescription drugs to the uninsured residents of Washington state with incomes below three hundred percent of the federal poverty level.

Declares that the foundation shall be administered in a manner that: (1) Begins providing assistance to qualified uninsured individuals by January 1, 2006;

- (2) Defines the population that may receive assistance in accordance with this act; and
- (3) Complies with the eligibility requirements necessary to obtain and maintain tax-exempt status under federal law.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Health Care.

HB 1678 by Representatives Condotta, Holmquist, Newhouse, Sump, Kretz, Ahern, Hinkle, Orcutt, Bailey, Schindler, Crouse, Kristiansen, Woods, Dunn, McCune and Rodne

Making unfunded mandates optional on local governments.

Provides that a political subdivision may choose to comply with a requirement of any nature imposed by the state, or any instrumentality of the state, if the total state funds provided to the political subdivision that may be expended or are required to be expended by the political subdivision to meet the requirement are not sufficient to pay for all the costs of meeting the requirement.

Provides that, if these state moneys are not sufficient, the requirement loses its mandatory nature and becomes a recommendation or option for the political subdivision and a penalty may not be imposed on the political subdivision for failing to comply with the requirement.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Local Government.

HB 1679 by Representatives Fromhold, Orcutt and Conway

Excluding certain leasehold interests in amphitheaters from the leasehold excise tax.

Excludes all leasehold interests in the public or entertainment areas of an amphitheater if a private entity is responsible for one hundred percent of the cost of constructing the amphitheater which is not reimbursed by the public owner, both the public owner and the private lessee sponsor events at the facility on a regular basis, the lessee is responsible under the lease or agreement to operate and maintain the facility, and the amphitheater has a seating capacity of over seventeen thousand reserved and general admission seats and is in a county with a population of over

three hundred fifty thousand, but less than four hundred twenty-five thousand.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Finance.

HB 1680 by Representatives Upthegrove, Jarrett, Moeller, B. Sullivan, Kirby, Cody, McDermott, Haler, Santos, Schual-Berke, Kenney and Simpson

Promoting safe neighborhoods through more effective community planning.

Declares that local governments should be provided with the opportunity to obtain assistance from the state for the purpose of adopting or revising community planning processes to include concepts and policies designed to achieve the goal of improving neighborhood safety and security. This goal should be accomplished through community-based pilot projects funded through matching funds to be implemented through a grant process administered by the department of community, trade, and economic development.

Provides that, subject to funding made available for this purpose, the department shall include in its program of technical and financial assistance established in RCW 36.70A.190, two pilot projects created by local governments to encourage and facilitate both the study and implementation of safe neighborhood planning. Priority should be given to programs: (1) Aimed at facilitating improvements to existing private properties for the purpose of crime prevention;

- (2) Integrated into a comprehensive crime prevention and property improvement plan; and
- (3) Involving a partnership between the public and private sectors.

Requires the department of community, trade, and economic development to make a written report to the house of representatives local government committee by December 1, 2005, containing a description and evaluation of the pilot projects implemented under this act.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Local Government.

HB 1681 by Representatives B. Sullivan, Darneille, Chase, Appleton, Upthegrove and Lovick

Extending and adding a member to the joint task force on criminal background check processes.

Provides for a representative from a for-profit entity that primarily serves children or vulnerable adults.

Provides that the task force shall report its findings and recommendations to the legislature by December 31, 2005.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Criminal Justice & Corrections.

HB 1682 by Representatives B. Sullivan, Darneille, Chase and Lovick

Creating a pilot program for live scan devices.

Finds that creating a pilot program, by strategically placing several live-scan devices in government offices throughout the state, will help employers and prospective employees to more easily gather and transmit data for noncriminal justice purposes.

Appropriates the amount of two hundred seventy thousand dollars, or as much thereof as may be necessary, from the state general fund for the fiscal year ending June 30, 2006, to the superintendent of public instruction. The amount in this provision is provided solely to purchase a live-scan device for each educational service district, to be used for noncriminal justice purposes.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Criminal Justice & Corrections.

HB 1683 by Representatives B. Sullivan, Lovick, Ericks and O'Brien

Authorizing provisional remedies in civil forfeiture proceedings.

Provides that, prior to a determination of forfeiture of real property under RCW 69.50.505 and upon a motion by the seizing agency, the court may issue orders to prevent and restrain a person from permitting foreclosure on the property and from committing or permitting waste on the property. The orders issued under this act may include, but are not limited to, restraining orders or prohibitions or taking such other actions, including the acceptance of satisfactory performance bonds, or other restraints as the court deems proper. The orders may also include attachment, receivership, the appointment of custodians, accountants, or trustees, or any other action to ensure the maintenance and preservation of the real property subject to forfeiture under RCW 69.50.505.

Provides that the court may issue an order under this act when it determines that: (1) There is a substantial probability that the seizing agency will prevail on the issue of forfeiture and that failure to enter the order would likely result in the property being damaged, subject to foreclosure, or otherwise be unavailable for forfeiture; and

(2) The need to preserve the availability of the property through the issuance of the court order outweighs the hardship on any party against whom the order may operate.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Judiciary.

HB 1684 by Representatives Bailey, Curtis, Hinkle, Skinner, Armstrong, Condotta, Shabro, Talcott, Kristiansen, Strow, Serben, Roach, Schindler, McDonald and Rodne

Providing access to health insurance for small employers and their employees.

Provides access to health insurance for small employers and their employees.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Health Care.

HB 1685 by Representatives Bailey, Curtis, Skinner, Orcutt, Armstrong, Shabro, Strow, Serben, Roach, Rodne, Schindler and Condotta

Concerning health insurance policy mandates.

Provides that, after the effective date of this act, no health carrier may deliver, issue, or renew a health insurance policy that includes any additional coverage mandates,

beyond those mandates in effect on the effective date of this

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Health Care.

House Concurrent Resolutions

HCR 4404 by Representatives Kenney, Cox, Sells, Priest, Jarrett, Conway, Ormsby and Linville; by request of Workforce Training and Education Coordinating Board

Approving the 2004 update to the state comprehensive plan for work force training.

Approves the 2004 update to the state comprehensive plan for work force training.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Higher Education.

Senate Bills

SB 5097-S by Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Kohl-Welles, Kline, Rasmussen, Franklin, Roach and Pridemore; by request of Governor Locke)

Providing for apprenticeship utilization requirements on public works projects.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, from January 1, 2005, and thereafter, for all public works estimated to cost one million dollars or more, all specifications shall require that no less than fifteen percent of the labor hours be performed by apprentices.

Authorizes awarding agency directors to adjust the requirements of this provision for a specific project for the designated reasons.

Applies only to public works contracts awarded by the state.

Does not apply to contracts awarded by state four-year institutions of higher education, state agencies headed by a separately elected public official, or the department of transportation.

Provides that, at the request of the senate commerce and trade committee, the house of representatives commerce and labor committee, or their successor committees, and the governor, the department of general administration and the department of labor and industries shall compile and summarize the agency data and provide a joint report to both committees. The report shall include recommendations on modifications or improvements to the apprentice utilization program and information on skill shortages in each trade or craft.

-- 2005 REGULAR SESSION --

Jan 31 LCRD - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass 1st substitute.

Passed to Rules Committee for second reading.

SB 5639 by Senators Eide and Shin

Modifying the high technology business and occupation tax credit.

Revises the high technology business and occupation tax credit.

Repeals RCW 82.04.4452.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to International Trade & Economic Development.

SB 5640 by Senators Eide, Haugen and Shin

Exempting royalty income on patents and copyrights from business and occupation tax for five years.

Declares that the provisions of chapter 82.04 RCW do not apply to amounts received as royalties for copyrights or patents for five years, beginning with the date the copyright or patent is issued.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to International Trade & Economic Development.

SB 5641 by Senators Eide, Haugen and Shin

Providing for small business and entrepreneurial development.

Finds that: The state's current mechanisms for encouraging and supporting entrepreneurship is inadequate; training and technical support for small businesses and entrepreneurial development is fragmented; no comprehensive plan guides the different entities providing services; and there is no single point of leadership and responsibility.

Declares an intention to increase job creation in the state by providing a comprehensive network of technical assistance, training, and support services to entrepreneurs and start-up firms; encouraging self-employment, and coordinating private and public support to entrepreneurs and start-up firms. It is the purpose of this act to create a coordinated, efficient, responsive, and accountable system to support small business and entrepreneurial development.

Creates the Washington entrepreneurial assistance center in the department of community, trade, and economic development.

Finds that the establishment of a self-employment assistance program would assist unemployed individuals and create new businesses and job opportunities in Washington state. The commissioner is directed to inform individuals identified as likely to exhaust regular unemployment benefits of the opportunity to enroll in commissioner-approved self-employment assistance programs.

Provides that the small business development center is hereby abolished and its powers, duties, and functions are hereby transferred to the Washington entrepreneurial assistance center. Appropriates the sum of nine hundred thousand dollars, or as much thereof as may be necessary, from the general fund to the department of community, trade, and economic development for the biennium ending June 30, 2007, to carry out the purposes of this act.

Appropriates the sum of forty-five thousand dollars, or as much thereof as may be necessary, for the biennium ending June 30, 2007, from the general fund to the department of community, trade, and economic development for the purposes of section 5 of this act.

Repeals RCW 28B.30.530 and 28B.30.533.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to International Trade & Economic Development.

SB 5642 by Senators Eide, Haugen and Shin

Establishing the business and job retention and expansion program.

Declares it is the purpose of this act to authorize and fund the creation of a statewide business and job retention program that places primary reliance on locally based business and job retention programs to assist businesses that are likely to close, fail, or experience a permanent mass layoff. The state's primary role in the business and job retention program is to provide continuing financial and technical assistance and training to the locally based business and job retention programs to ensure their success.

Establishes within the department of community, trade, and economic development the business and job retention and expansion program.

Requires the employment security department to: (1) Track numbers of dislocated workers and part-time workers in the state;

- (2) Assess the number and causes of permanent mass layoffs and closures using a modified permanent mass layoff and plant closure data base that is presently funded by the federal government; and
- (3) Supply the director of the department of community, trade, and economic development with data under this act, which will allow the state and local components of the business and job retention and expansion program to prioritize delivery of service to distressed, mature, and cyclical industries.

Appropriates the sum of six hundred thousand dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2006, from the general fund--state to the department of community, trade, and economic development for the purposes of this act.

Appropriates the sum of six hundred thousand dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2007, from the general fund--state to the department of community, trade, and economic development for the purposes of this act.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to International Trade & Economic Development.

SB 5643 by Senators Hargrove, Kline and Brandland

Exempting community notification and release of sex offender information from public disclosure.

Declares that it is and has been the intent of the legislature that information regarding sex offenders be shared between state agencies and with local law enforcement, and that public disclosure of sex offender

information that is accurate, relevant, and necessary to protect the public be managed by and controlled through the community notification statute, RCW 4.24.550.

Finds that law enforcement has been, and continues to be, the most reliable means of ensuring that the information released protects the public, protects the confidentiality of victims, protects ongoing criminal investigations, and complies with the confidentiality provisions of other federal and state laws.

Finds that to accomplish its penological duties, the department of corrections must receive and use protected information to appropriately confine, supervise, treat, and assess the risk of offenders. To further this intent, the legislature has authorized the end of sentence review committee to access and consider information that otherwise may be confidential for the specific reason of determining if the offender should be referred for civil commitment as a sexually violent predator under chapter 71.09 RCW.

Finds that it is appropriate for the department to share information, beyond what is publicly disclosable, with law enforcement agencies for the appropriate supervision of offenders in the community or for the investigation of criminal acts.

Does not intend that law enforcement bulletins or notes, comments, and assessments of the end of sentence review committee to assess the risk, or plan the transition of sex offenders to the community, be available for public inspection through public disclosure due to the risk that providing the information in such a manner would pose to the state's community notification program and the risk that the information would unnecessarily traumatize the victims of the offenders' previous offenses.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Human Services & Corrections.

SB 5644 by Senators Kline, Roach, Benton, Esser, Prentice, Shin, McAuliffe, Haugen, Fairley

and Hargrove

Extending the stay on driver's license suspensions pending entry of a deferred prosecution.

Amends RCW 46.20.308 to extend the stay on driver's license suspensions pending entry of a deferred prosecution.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Judiciary.

SB 5645 by Senators Kline, Roach, Esser, Prentice, Keiser, Haugen, Fairley, Shin and Hargrove

Changing requirements for ignition interlock devices.

Provides that proof of an ignition interlock device shall not be necessary if the applicant provides a declaration that he or she does not own a vehicle, and is employed in a position that requires that he or she drive an employer's vehicle during working hours.

Declares that the device shall not be required on vehicles owned by a person's employer and driven as a requirement of employment, and during working hours only.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Judiciary.

SB 5646 by Senators Kline, Rockefeller, Franklin, Shin, Fraser, Prentice and Keiser

Prohibiting confidentiality agreements in lawsuits involving public hazards.

Declares that the intent of this act is to prevent confidentiality agreements in lawsuits involving a public hazard so that the public and public institutions are better able to identify newly emerging risks and prevent future injuries produced by similar situations, as well as to better identify the safety records of manufacturers, vendors, practitioners, and facilities.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Judiciary.

SB 5647 by Senators Kline, Franklin, Fairley, Prentice, McAuliffe and Shin

Limiting the authority of peace officers to enforce federal immigration laws.

Declares that, unless otherwise required by law or court order, all general or limited authority Washington peace officers or specially commissioned Washington peace officers shall refrain from the enforcement of federal civil immigration laws. General or limited authority Washington peace officers or specially commissioned Washington peace officers shall not single out individuals for legal scrutiny or enforcement activity based solely on their country of origin, religion, ethnicity, or immigration status.

Provides that no general authority Washington law enforcement agency, agency with primary territorial jurisdiction, or primary commissioning agency shall use moneys, resources, or personnel solely for the purpose of detecting or apprehending persons whose only violation of law is or may be a civil immigration violation.

Provides that any person who violates this act shall be liable in a civil action brought by the aggrieved party in the amount of one thousand dollars per violation, all economic damages actually incurred as a direct result of the violation, and for the costs of litigation including reasonable attorneys' fees and costs. The court may award additional damages in an amount determined necessary to ensure the violator's future compliance.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Judiciary.

SB 5648 by Senators Kline, Prentice, Franklin, Fairley, McAuliffe and Shin

Limiting the authority of law enforcement to inquire about immigration status of crime victims and witnesses.

Provides that general or limited authority Washington peace officers or specially commissioned Washington peace officers, and general or limited authority Washington law enforcement agencies, as defined in RCW 10.93.020, shall not inquire about the immigration status of crime victims, witnesses, or others who call or approach these officers or agencies seeking assistance. Officers or agencies who provide public safety services shall not request specific documents for the sole purpose of determining an individual's immigration status. However, if voluntarily offered by an individual in response to a general request for identification, it is permissible to rely on immigration documents for the purpose of establishing the individual's identity.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Judiciary.

SB 5649 by Senators Keiser, Deccio, Thibaudeau, Parlette and Benson

Providing for fairness in the informal dispute resolution process.

Provides for fairness in the informal dispute resolution process.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Health & Long-Term Care.

SB 5650 by Senators Thibaudeau, Deccio, Keiser, Parlette, Kohl-Welles and Benson

Regulating adult family home staff.

Requires the department to implement, as part of the required training and continuing education, food safety training integrated into the curriculum that meets the standards established by the state board of health pursuant to chapter 69.06 RCW. Individual food handler permits are not required for persons who successfully complete the training.

Directs the department to work with the providers and resident communities to develop opportunities for licensing and quality assurance staff to become familiar with the actual environment and the daily hands-on routine of care and services in an adult family home.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Health & Long-Term Care.

SB 5651 by Senators Fraser and Hewitt

Returning interest earned to the community and technical college capital projects account.

Returns interest earned to the community and technical college capital projects account.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Ways & Means.

SB 5652 by Senators Shin, Schoesler and Haugen

Establishing the short line rail revitalization program.

Declares an intent to establish a short line rail revitalization program within the community economic revitalization board within the department of community, trade, and economic development to allow political subdivisions to be approved for a sales and use tax credit for short line rail projects that are reasonably expected to provide a direct economic benefit in this state.

Provides that, in consultation with the Washington state department of transportation freight rail program, the board shall report to the legislature on a biennial basis on the short line rail revitalization program. The report must give a detailed account of approved and rejected projects under the program, their cumulative impact on the state's general fund, a cost-benefit analysis of projects to the state including highway maintenance and improvement savings, and a summary of the economic benefits realized through the program.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to International Trade & Economic Development.

SB 5653 by Senators Jacobsen, Swecker, Doumit and Haugen

Describing specialized commercial vehicles used for patient transportation.

Finds that requiring all patients who need to travel in a prone or supine position but are medically stable, to be transported by ambulance can be overly restrictive to individuals with disabilities. These individuals frequently travel by means of reclining wheelchairs or devices commonly referred to as banana carts.

Declares that expanding travel options for these individuals will give them greater opportunities for mobility and reduce their costs of travel.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Transportation.

SB 5654 by Senators Prentice and Esser

Protecting the privacy of personal information of criminal justice officials.

Finds that the dissemination of personally identifying information as proscribed in RCW 4.24.680 is not in the public interest.

Provides that a person shall not knowingly make available on the world wide web the personal information of a peace officer, justice, judge, commissioner, public defender, or prosecutor if the dissemination of the personal information poses an imminent and serious threat to the peace officer's, justice's, judge's, commissioner's, public defender's, or prosecutor's safety or the safety of that person's immediate family and the threat is reasonably apparent to the person making the information available on the world wide web to be serious and imminent.

Provides that any person whose personal information is made available on the world wide web as described in RCW 4.24.680(1) who suffers damages as a result of such conduct may bring an action against the person or organization who makes such information available, for actual damages sustained plus punitive damages in an amount not to exceed ten thousand dollars, and reasonable attorneys' fees and costs.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Judiciary.

SB 5655 by Senators Schmidt, Rasmussen, Eide and Jacobsen

Requiring that Washington's tribal history be taught in the common schools.

Provides that, by January 1, 2015, or when a school district reviews or adopts its social studies curriculum, whichever is sooner, the school district must incorporate into its history and social studies curricula for each grade in which the district offers instruction on Washington state and United States history, the tribally and district-approved history and culture curriculum of a federally recognized Indian tribe whose reservation in whole or in part sits within the boundaries of the school district.

Provides that, if a district has no portion of a tribal reservation located within its boundaries, the district must incorporate into its curricula the tribally and district-approved history and culture curriculum of the federally recognized Indian tribes whose traditional lands and territories are within a one hundred mile radius of the school district.

Requires the program of Indian education within the office of the superintendent of public instruction to assist school districts in determining the location of tribal reservations and traditional lands and territories.

Provides that the tribal history and culture curriculum required under this section may be taught only by a teacher who has completed that tribe's first people's language and culture teacher certification program, or by a teacher who has been approved by the respective tribe whose curriculum is to be taught.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Early Learning, K-12 & Higher Education.

SB 5656 by Senators Thibaudeau, Deccio, Esser and Franklin

Allowing participation of denturists in preferred provider networks.

Authorizes participation of denturists in preferred provider networks.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Health & Long-Term Care.

SB 5657 by Senators Haugen and Brandland

Limiting liability for persons working with liquefied petroleum gas.

Provides that a person who sells at retail, supplies, handles, or transports liquefied petroleum gas is not liable for civil damages for injury or loss of property caused by: (1) The installation, alteration, modification, or repair of liquefied petroleum gas equipment or a liquefied petroleum gas appliance if the installation, alteration, modification, or repair was done without the knowledge and consent of the person selling, supplying, handling, or transporting liquefied petroleum gas; or

(2) The use of liquefied petroleum gas equipment or a liquefied petroleum gas appliance in a manner or for a purpose other than that for which the equipment or appliance was intended and that could not reasonably have been expected.

Declares that a person who follows the applicable procedures and standards established by the national fire protection association in NFPA 54 (national fuel gas code) and NFPA 58 (liquefied petroleum gas code) may not be deemed negligent.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Judiciary.

SB 5658 by Senators Haugen and Honeyford

Regulating liquified petroleum gas.

Provides that a person, other than the owner of a liquified petroleum gas container or a person authorized in writing by the owner, may not: (1) Fill or refill a liquified

petroleum gas container with liquified petroleum gas or any other gas or compound; or

(2) Deface, erase, obliterate, cover up, or otherwise remove or conceal any name, mark, initial, or device on a liquified petroleum gas container.

Does not apply to cylinders.

Declares that a person violating this act is subject to a one thousand dollar fine payable to the county where the violation occurs.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Water, Energy & Environment.

SB 5659 by Senators Pridemore, Morton, Hewitt, Poulsen, Honeyford, Mulliken, Fraser, Rockefeller and Regala

Authorizing renewable energy tax credits.

Finds that: (1) Washington's utilities have been historical leaders in developing low-cost renewable hydroelectric energy, greatly benefiting the state economy;

- (2) Washington has a long tradition of energy policies that support renewable resource development. These policies, which include financial incentives, have stimulated economic development, encouraged the development of renewable resources within the state, and protected the environment;
- (3) Continuing and expanding financial and other incentives will stimulate the market for renewable energy technologies and renewable resources, helping to diversify the energy resources used to serve Washington's consumers while hedging against future fuel price risk;
- (4) Fuel diversity, economic, and environmental benefits from renewable resources accrue to the public at large, and therefore it is the policy of the state of Washington to encourage consistent development of these resources to meet the state's electric demand and stabilize electricity prices.

Provides that, on or before December 1, 2007, and every two years thereafter, the department shall submit a report to the legislature on the amount of incentives provided for renewable resources, the amount of renewable resources produced by each type of renewable resource generation facility, the name and location of each generating facility, and the participating electric utilities.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Water, Energy & Environment.

SB 5660 by Senators Kastama, Prentice, Fairley, Rockefeller, Eide and Fraser

Providing a dispute mechanism for manufactured/mobile home landlord and tenant disputes.

Finds that taking legal action against a park owner for violations of the manufactured/mobile home landlord-tenant act can be a costly and lengthy process, and that many people cannot afford to pursue a court process to vindicate statutory rights. Park owners similarly are benefited by having access to a process that resolves disputes quickly and efficiently.

Declares an intent to provide a less costly and more efficient way for manufactured/mobile homeowners and park owners to resolve disputes, and to provide a mechanism for state authorities to quickly locate owners of manufactured housing communities.

Declares an intent to authorize the department of community, trade, and economic development to register mobile home parks or manufactured housing communities, conduct investigations, issue citations, issue cease and desist orders, and impose fines for violations of the manufactured/mobile home landlord-tenant act.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Financial Institutions, Housing & Consumer Protection.

SB 5661 by Senators Sheldon, McCaslin, Mulliken and Roach

Creating categorical exemptions from the state environmental policy act for certain activities.

Provides that within urban growth areas designated under RCW 36.70A.110, decisions pertaining to the following activities are exempt from chapter 43.21C RCW: (1) Construction of or location of any residential structures of ten or fewer dwelling units;

- (2) Division of land into nine or fewer lots or parcels; and
- (3) Any landfill or excavation of five hundred cubic yards throughout the total lifetime of the fill or excavation.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Water, Energy & Environment.

SB 5662 by Senators Jacobsen, Kastama, Swecker, Benson and Esser; by request of Freight Mobility Strategic Investment Board

Establishing funding for freight mobility.

Recognizes the importance of placing a greater emphasis on the movement of freight in Washington state. A strong programmatic commitment is needed to focus current resources and direct new, ongoing funding toward freight corridor priorities and projects that expedite the movement of cargo.

Declares that, when created, the freight mobility strategic investment board had dedicated funding which was lost through passage of Initiative 695.

Declares that the establishment of a dedicated fund is critical to providing a repository for private and public funds for capital projects selected through the board's selection process, and to communicate the commitment of the state to improve freight movement within Washington's borders as well as provide a more cost-efficient way to advance capital projects. A predictable level of support will remove uncertainty in project development and will deliver projects in a more timely manner.

Declares an intent to attract new funding as part of the transportation equity act for the 21st Century (TEA-21) extension or reauthorization.

Creates the freight mobility strategic investment account in the state treasury.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Transportation.

SB 5663 by Senators Rasmussen, Schoesler, Doumit, Honeyford, Parlette and Jacobsen

Changing the tax exemptions for machinery and equipment used to reduce agricultural burning.

Repeals and narrows tax incentives for machinery and equipment used to reduce agricultural burning of cereal grains and grass grown for seed for air quality purposes.

Repeals RCW 82.08.840, 82.12.840, 82.04.4459, and 84.36.580.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Agriculture & Rural Economic Development.

SB 5664 by Senators McAuliffe, Eide, Brandland, Regala, Thibaudeau and Stevens

Improving teachers' skills with regard to children with learning differences.

Provides that, to receive initial certification as a teacher in this state after the effective date of this act, an applicant shall demonstrate knowledge either through completion of coursework or through passage of a test on teaching students with learning differences including the use of research-based assessment and instructional strategies for students with dyslexia, dysgraphia, and language learning disabilities. The state board of education, with the advice of the professional educator standards board, shall adopt rules to implement this act.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Early Learning, K-12 & Higher Education.

SB 5665 by Senators Parlette, Schoesler, Hewitt and Honeyford

Requiring workers to report accidents.

Revises provisions requiring workers to report accidents.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Labor, Commerce, Research & Development.

SB 5666 by Senators Stevens, Hargrove, McAuliffe, Carrell, Brandland, Delvin and Roach

Regarding information sharing in child dependency cases.

Finds that to aid in the prevention of tragic deaths of children in the child welfare system, those responsible for making placement decisions in cases of child abuse or neglect should have the relevant evidence available to them to aid them in making placement decisions that will best

-- 2005 REGULAR SESSION --

protect the safety and welfare of the child.

Feb 1 First reading, referred to Human Services & Corrections.

SB 5667 by Senators Roach, Mulliken, Johnson, Hewitt and Honeyford

Making the county auditor an elective office in all counties.

Declares an intent to make the position of county auditor, and of the chief elections official, however named, in all counties an elective office. This act therefore applies to all counties, including without limitation counties operating under a home rule charter.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Government Operations & Elections.

SB 5668 by Senators Roach, Swecker and Carrell

Requiring high school education on the voting process.

Provides that any course in United States history or government used to fulfill high school graduation requirements must include information on voting in and the process of both the primary and general elections, the absentee and provisional ballot processes, and a discussion of the state voters' pamphlet.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Early Learning, K-12 & Higher Education.

SB 5669 by Senators Roach, Swecker, Schoesler, Carrell and Benson

Requiring a valid driver's license to use a state vehicle.

Declares that policies must also include verification of a valid Washington state driver's license. Before an employee is allowed to use a vehicle owned, leased, or rented by a state agency, the agency director, or the director's designee, shall check with the department of licensing and confirm that the Washington state driver's license in the person's possession is valid. If the person does not have a valid license, use of a state vehicle is prohibited.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Government Operations & Elections.

SB 5670 by Senators Roach, Mulliken and Honeyford

Requiring the opportunity for a referendum for critical areas regulations.

Requires the opportunity for a referendum for critical areas regulations.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Government Operations & Elections.

SB 5671 by Senators Roach, Mulliken, Hewitt and Honeyford

Requiring compensation for county regulatory actions that reduce property value.

Provides that a county that adopts and/or implements regulations or any other act that sets aside, prevents use, or devalues property or a property interest shall, in addition to liability for any other damages due under chapter 64.40 RCW, compensate the taxpayer identified on the annual tax assessment for the percentage portion fair market value of the property or property interest set aside, prevented from use, or devalued and for loss of potential income within one

year of the passage or implementation of such ordinances, statutes, rules, or act utilized to cause such impact on taxed property within the county.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Government Operations & Elections.

Senate Joint Memorials

SJM 8012 by Senators Prentice, Schmidt, Franklin, Rockefeller, Weinstein, Shin, Regala, Esser, Keiser, Doumit, Haugen, Johnson, Fairley, Benson, Kline, Hewitt, Poulsen, Fraser, Thibaudeau, Jacobsen, Rasmussen, Finkbeiner, Deccio, Pflug, Oke, Sheldon, Carrell, Schoesler, Pridemore, Honeyford and Stevens

Asking that the federal government provide veterans' benefits owed to Filipino veterans.

Requests that the federal government provide veterans' benefits owed to Filipino veterans.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Government Operations & Elections.

Senate Concurrent Resolutions

SCR 8406 by Senators Kohl-Welles, Schmidt, McAuliffe, Franklin, Esser, Keiser and Pridemore; by request of Workforce Training and Education Coordinating Board

Approving the 2004 update to the state comprehensive plan for work force training.

Approves the 2004 update to the state comprehensive plan for work force training.

-- 2005 REGULAR SESSION --

Feb 1 First reading, referred to Labor, Commerce, Research & Development.

Section Supple 3 St 54 Supple 5 H3 105 Supple 3 H3 115 Supple 5 113 Supple 6 113 Supple 5 113 Supple 5 113 Supple 6 113 Supple 5 113 Supple 5 113 Supple 6 113 Supple 5 113 Supple 6 113 Supple 5 Supple	\$	SENATE	HOUSE
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